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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/623,372	YOUNG, KEVIN L.	
	Examiner	Art Unit	
	CHRISS S. YODER III	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-33 and 35-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-33 and 35-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-33, and 35-46 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. **Claims 1-3, 5-7, 14, 16-24, 28-33, 37-39, 42, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverman et al. (US Patent # 4,709,265) in view of McCullough (US Patent # 4,59,019).**

2. In regard to **claim 1**, note Silverman discloses a communication system configured to communicate information in real-time between remote locations (column 5, line 40 – column 6, line 6 and column 7, line 39 – column 8, line 26), comprising a portable camera apparatus including a video camera configured to capture video signals (column 5, line 40 – column 6, line 6), a voltage regulator configured to regulate voltage received from a battery source and providing a regulated voltage to the video camera (column 6, lines 35-37), a battery (column 6, lines 35-37), and a transmitter configured to transmit the video signals captured by the video camera from one location

to another remote location (column 7, lines 39-67), and a receiver apparatus including an antenna array having a plurality of antennas, wherein individual ones of antennas of the antenna array are configured to receive the video signals transmitted by the transmitter (column 8, lines 1-26), and a receiver device configured to be disposed adjacent the antenna array and configured to scan the video signals received by individual ones of the antennas of the antenna array, and wherein the receiver is further configured to establish a lock on a video signal in response to signal strength of the respective video signals received by the individual ones of the antennas of the antenna array (column 5, line 63 – column 6, line 6). Therefore, it can be seen that Silverman fails to explicitly disclose the use of a laser flashing apparatus, said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera, and control circuitry configured to control the said laser pointer to periodically turn-on and turn-off in order to conserve energy drawn from the battery and supplied to the laser flashing apparatus.

In analogous art, McCullough discloses the use of a laser flashing apparatus (column 11, lines 20-38 and figure 1), said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera (column 11, lines 20-38 and figure 1), and control circuitry configured to control

the said laser pointer to periodically turn-on and turn-off (column 15, lines 33-37). McCullough teaches that the use of a laser flashing apparatus, said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera, and control circuitry configured to control the said laser pointer to periodically turn-on and turn-off is preferred in order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame (column 7, lines 30-33). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Silverman device to include the use of a laser flashing apparatus, said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera, and control circuitry configured to control the said laser pointer to periodically turn-on and turn-off in order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame, as suggested by McCullough.

3. In regard to **claim 2**, note Silverman discloses a monitoring unit configured to monitor the video signals received by the receiver apparatus (column 5, lines 40-50).

4. In regard to **claim 3**, note the primary reference of Silverman in view of McCullough discloses a communication system configured to communicate information

in real-time between remote locations, as claimed in claim 1. Therefore, it can be seen that the primary reference fails to disclose that the camera apparatus further comprises an encoder configured to encrypt video signals output from the video camera prior to transmission and a bypass switch configured to selectively control routing of video signals captured by the video camera either to the encoder or directly to the transmitter for transmission. Official Notice is taken that the concepts and advantages of selective encryption of a video signal prior to transmission are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the use of selective encryption in order to provide a secured video signal that only be viewed by authorized viewers.

5. In regard to **claims 5-7**, note the primary reference of Silverman in view of McCullough fails to disclose the use of a voltage regulator that is configured to generate a plurality of regulated voltages comprising first and second regulated voltages, wherein the first regulated voltage is provided to the video camera and the encoder, and wherein the second regulated voltage is provided to the laser flashing apparatus. Official Notice is taken that the concepts and advantages of using a voltage regulator to generate multiple voltages are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to include the use of a voltage regulator to generate multiple voltages in order to provide individual components with the proper voltage required for operation.

6. In regard to **claim 14**, note Silverman discloses the camera apparatus is disposed in a housing that protects from environmental dangers (column 1, lines 6-25).

Therefore, it can be seen that the primary reference fails to explicitly disclose that the housing is waterproof. Official Notice is taken that the concepts and advantages of using a waterproof housing for a camera are notoriously well known and expected in the art. Therefore, it would have been obvious to modify the primary reference to use a waterproof housing in order to protect the camera from being damaged by water while in a hazardous environment.

7. In regard to **claim 16**, note Silverman discloses that the receiver device comprises a tuner configured to tune the receiver device to a select transmission frequency (column 8, lines 1-26, and figure 5c: 510).

8. In regard to **claim 17**, note Silverman discloses that the transmitter is configured to convert video signals from the video camera into RF signals prior to transmission (column 7, lines 50-67, and figure 5b: 556 and 552).

9. In regard to **claim 18**, note Silverman discloses that the receiver device is configured to convert RF signals into video signals (column 8, lines 1-26, and figure 5c: 511 and 513).

10. In regard to **claim 19**, note the primary reference of Silverman in view of McCullough discloses the use of a communication system configured to communicate information in real-time between remote locations, as claimed in claim 1. Therefore, it can be seen that the primary reference fails to disclose that the individual ones of antennas comprise a patch antenna having a gain of at least 8 dB. However, the Examiner notes that the use of a patch antenna having a gain of at least 8dB is

considered to be a matter of design choice in order to meet specific application requirements and to adhere to the wireless communications standards set by the FCC.

11. In regard to **claim 20**, note the primary reference of Silverman in view of McCullough discloses the use of a communication system configured to communicate information in real-time between remote locations, as claimed in claim 1. Therefore, it can be seen that the primary reference fails to disclose that the transmission range between the camera apparatus and the receiver apparatus is about 2200 feet line-of-sight without encountering signal degradation. However, the Examiner notes that the use of a transmission range between two devices that is about 2200 feet line-of-sight is considered to be a matter of design choice in order to meet specific application requirements and to adhere to the wireless communications standards set by the FCC.

12. In regard to **claim 21**, note Silverman discloses the video signals are transmitted in analog mode (column 7, lines 39-67; the signals are modulated to a carrier frequency and transmitted).

13. In regard to **claim 22**, note the primary reference of Silverman in view of McCullough discloses the use of a communication system configured to communicate information in real-time between remote locations, as claimed in claim 1. Therefore, it can be seen that the primary reference fails to disclose that the video signals are transmitted at a power level of about 200 mW. However, the Examiner notes that the use of transmitting video signals at a power level of about 200mW is considered to be a matter of design choice in order to meet specific application requirements and to adhere to the wireless communications standards set by the FCC.

14. In regard to **claim 23**, note Silverman discloses a communication system (column 5, line 40 – column 6, line 6 and column 7, line 39 – column 8, line 26) comprising a portable camera apparatus including a video camera configured to capture video signals (column 5, line 40 – column 6, line 6), and a transmitter configured to transmit the video signals captured by the video camera (column 7, lines 39-67), a receiver apparatus (column 8, lines 1-26) including an antenna array having a plurality of antennas, wherein individual ones of antennas of the antenna array are configured to receive video signals transmitted by the transmitter (column 5, line 63 – column 6, line 6), and a receiver device disposed adjacent the antenna array, wherein the receiver is configured to scan the video signals received by individual antennas of the antenna array, the receiver device further configured to establish a lock on a video signal having a highest signal strength from among the video signals received by the individual antennas (column 5, line 63 – column 6, line 6). Therefore, it can be seen that Silverman fails to disclose the use of a laser flashing apparatus, said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera, control circuitry configured to control the said laser pointer to periodically turn-on and turn-off, and transmitting the video signals comprises transmitting the video signals by the first mentioned transmitter at a frequency of about 900 MHz.

In analogous art, McCullough discloses the use of a laser flashing apparatus (column 11, lines 20-38 and figure 1), said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera (column 11, lines 20-38 and figure 1), and control circuitry configured to control the said laser pointer to periodically turn-on and turn-off (column 15, lines 33-37). McCullough teaches that the use of a laser flashing apparatus, said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera, control circuitry configured to control the said laser pointer to periodically turn-on and turn-off is preferred in order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame (column 7, lines 30-33). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Silverman device to include the use of a laser flashing apparatus, said laser flashing apparatus including, a laser pointer mounted to said portable camera apparatus and aligned with said video camera to enable a user to confirm where said video camera is pointed and to enable a remote monitoring user to identify a frame of reference in an image captured by the video camera, control circuitry configured to control the said laser pointer to periodically turn-on and turn-off in order to indicate the boundary of an optical frame to allow

surrounding workers to anticipate a subject moving into or exiting from the optical frame, as suggested by McCullough.

Additionally, Official Notice is taken that the concepts and advantages of using a transmitter at a frequency of about 900 MHz are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Silverman device to use of a transmitter at a frequency of about 900 MHz in order to provide a communications channel that publicly available without the need for a license.

15. In regard to **claim 24**, note the primary reference of Silverman in view of McCullough discloses a communication system, as claimed in claim 23. Therefore, it can be seen that the primary reference fails to disclose that the camera apparatus further comprises an encoder configured to encrypt video signals output from the video camera prior to transmission. Official Notice is taken that the concepts and advantages of selective encryption of a video signal prior to transmission are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to include the use of selective encryption in order to provide a secured video signal that only be viewed by authorized viewers.

16. In regard to **claim 28**, although the wording is different, the material is considered substantively equivalent to claim 1, as discussed above.

17. In regard to **claim 29**, note Silverman discloses a portable camera configured to wirelessly transmit video signals in real-time to a remote location (column 5, line 40 – column 6, line 6 and column 7, line 39 – column 8, line 26), comprising a voltage

regulator configured to regulate voltage received from a battery source (column 6, lines 35-37), a transmitter configured to transmit the video signals captured by the camera (column 7, lines 39-67). Therefore, it can be seen that the Silverman device lacks the use of an encoder configured to encrypt the video signals prior to transmission, a module comprising a light source configured to identify a frame of reference in an image captured by the camera, said light source also being configured to illuminate an area on an object within a field of view of said portable camera to allow a user to confirm that the illuminated area is within a field of view of said portable camera, and circuitry for controlling the light source to periodically turn-on and turn-off in order to conserve energy drawn from the battery source.

In analogous art, McCullough discloses the use of a module comprising a light source configured to identify a frame of reference in an image captured by the camera (column 11, lines 20-38 and figure 1), said light source also being configured to illuminate an area on an object within a field of view of said portable camera to allow a user to confirm that the illuminated area is within a field of view of said portable camera (column 11, lines 20-38 and figure 1), and circuitry for controlling the light source to periodically turn-on and turn-off (column 15, lines 33-37). McCullough teaches that the use of a module comprising a light source configured to identify a frame of reference in an image captured by the camera, said light source also being configured to illuminate an area on an object within a field of view of said portable camera to allow a user to confirm that the illuminated area is within a field of view of said portable camera, and circuitry for controlling the light source to periodically turn-on and turn-off is preferred in

order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame (column 7, lines 30-33). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Silverman device to include the use of a module comprising a light source configured to identify a frame of reference in an image captured by the camera, said light source also being configured to illuminate an area on an object within a field of view of said portable camera to allow a user to confirm that the illuminated area is within a field of view of said portable camera, and circuitry for controlling the light source to periodically turn-on and turn-off in order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame, as suggested by McCullough.

Additionally, as for the encoder configured to encrypt the video signals prior to transmission, Official Notice is taken that the concepts and advantages of selective encryption of a video signal prior to transmission are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Silverman device to include the use of selective encryption in order to provide a secured video signal that only be viewed by authorized viewers.

18. In regard to **claim 30**, note the primary reference of Silverman in view of McCullough discloses a communication method for communicating information in real-time between remote locations, as claimed in claim 29. Therefore, it can be seen that the primary reference fails to disclose transmitting the video signals comprises transmitting the video signals by the first mentioned transmitter at a frequency of about

900 MHz. Official Notice is taken that the concepts and advantages of using a transmitter at a frequency of about 900 MHz are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to use of a transmitter at a frequency of about 900 MHz in order to provide a communications channel that publicly available without the need for a license.

19. In regard to **claim 31**, note McCullough discloses that the light source comprises a laser pointer (column 11, lines 20-38).

20. In regard to **claim 32**, this is a method claim, corresponding to the apparatus in claim 1. Therefore, claim 32 has been analyzed and rejected as previously discussed with respect claims 1.

21. In regard to **claim 33**, this is a method claim, corresponding to the apparatus in claim 3. Therefore, claim 33 has been analyzed and rejected as previously discussed with respect claim 3.

22. In regard to **claim 37**, note the primary reference of Silverman in view of McCullough discloses a communication method for communicating information in real-time between remote locations, as claimed in claim 32. Therefore, it can be seen that the primary reference fails to disclose transmitting the video signals comprises transmitting the video signals by the first mentioned transmitter at a frequency of about 900 MHz. Official Notice is taken that the concepts and advantages of using a transmitter at a frequency of about 900 MHz are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to

modify the primary reference to use of a transmitter at a frequency of about 900 MHz in order to provide a communications channel that publicly available without the need for a license.

23. In regard to **claim 38**, this is a method claim, corresponding to the apparatus in claim 23. Therefore, claim 38 has been analyzed and rejected as previously discussed with respect claim 23.

24. In regard to **claim 39**, this is a method claim, corresponding to the apparatus in claim 24. Therefore, claim 39 has been analyzed and rejected as previously discussed with respect claim 24.

25. In regard to **claim 42**, note Silverman discloses a method of remotely monitoring a hazardous environment, comprising providing a camera apparatus in the hazardous environment to capture and transmit video signals of the hazardous environment column 5, line 40 – column 6, line 6 and column 7, lines 39-67), receiving the transmitted video signals in a receiver apparatus via an antenna array having a plurality of antennas (column 5, line 63 – column 6, line 6), and scanning the individual ones of antennas of the antenna array using the receiver apparatus to establish a lock on a video signal having a highest signal strength among the received video signals (column 5, line 63 – column 6, line 6). Therefore, it can be seen that Silverman fails to explicitly disclose illuminating an area of the hazardous environment that is within a field of view of the camera apparatus, aiming the camera apparatus based on the illuminated area of the hazardous environment so that a desired portion of the hazardous environment will be within the field of view of the camera apparatus, and that the housing is waterproof.

In analogous art, McCullough discloses illuminating an area of the hazardous environment that is within a field of view of the camera apparatus (column 11, lines 20-38 and figure 1), aiming the camera apparatus based on the illuminated area of the hazardous environment so that a desired portion of the hazardous environment will be within the field of view of the camera apparatus (column 11, lines 20-38 and figure 1). McCullough teaches that the use of illuminating an area of the hazardous environment that is within a field of view of the camera apparatus, aiming the camera apparatus based on the illuminated area of the hazardous environment so that a desired portion of the hazardous environment will be within the field of view of the camera apparatus is preferred in order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame (column 7, lines 30-33). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Silverman reference to include illuminating an area of the hazardous environment that is within a field of view of the camera apparatus, aiming the camera apparatus based on the illuminated area of the hazardous environment so that a desired portion of the hazardous environment will be within the field of view of the camera apparatus in order to indicate the boundary of an optical frame to allow surrounding workers to anticipate a subject moving into or exiting from the optical frame, as suggested by McCullough.

Additionally, Official Notice is taken that the concepts and advantages of using a waterproof housing for a camera are notoriously well known and expected in the art. Therefore, it would have been obvious to modify the Silverman device to use a

waterproof housing in order to protect the camera from being damaged by water while in a hazardous environment.

26. In regard to **claim 45**, note the primary reference of Silverman in view of McCullough discloses a method of remotely monitoring a hazardous environment, as claimed in claim 42. Therefore, it can be seen that the primary reference fails to disclose that the captured video signals are selectively encrypted prior to transmission. Official Notice is taken that the concepts and advantages of selective encryption of a video signal prior to transmission are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to include the use of selective encryption in order to provide a secured video signal that only be viewed by authorized viewers.

27. In regard to **claim 46**, note the primary reference of Silverman in view of McCullough discloses a method of remotely monitoring a hazardous environment, as claimed in claim 42. Therefore, it can be seen that the primary reference fails to disclose transmitting the video signals comprises transmitting the video signals by the first mentioned transmitter at a frequency of about 900 MHz. Official Notice is taken that the concepts and advantages of using a transmitter at a frequency of about 900 MHz are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to use of a transmitter at a frequency of about 900 MHz in order to provide a communications channel that publicly available without the need for a license.

28. **Claims 8-13, 25-27, 35-36, 40-41, and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverman et al. (US Patent # 4,709,265) in view of McCullough (US Patent # 4,59,019) and further in view of Ortiz et al. (US Patent # 7,149,549).**

29. In regard to **claim 8**, note the primary reference of Silverman in view of McCullough discloses a communication system configured to communicate information in real-time between remote locations, as claimed in claim 1. Therefore, it can be seen that the primary reference fails to explicitly disclose that the receiver apparatus comprises a second transmitter configured to further transmit the video signals output from the receiver, and an antenna configured to transmit the video signals received from the second transmitter. Ortiz discloses the use of a receiver apparatus having a second transmitter configured to further transmit the video signals output from the receiver (column 15, lines 37-57), and an antenna configured to transmit the video signals received from the second transmitter (column 15, lines 37-57). Ortiz teaches that the use of a receiver apparatus having a second transmitter configured to further transmit the video signals output from the receiver and an antenna configured to transmit the video signals received from the second transmitter is preferred in order to distribute the data by retransmitting the video at the request of authorized users (column 15, lines 37-52). Therefore, it would have been obvious to one of ordinary skill in the art to modify the receiver of the primary reference to include the use of a second transmitter configured to further transmit the video signals output from the receiver and an antenna configured to transmit the video signals received from the second transmitter in order to

distribute the data by retransmitting the video at the request of authorized users, as suggested by Ortiz.

30. In regard to **claim 9**, note Ortiz discloses that communication between devices can be performed using a combination of different types of wireless networks (column 16, lines 26-34), and lists 900 MHz and 2.4 GHz as possible types of wireless networks (column 16, line 26 - column 19, line 32). Therefore, based on the application, the first mentioned transmitter is capable of being configured to transmit video signals at about 900 MHz, and the second transmitter is capable of being configured to transmit video signals at about 2.4 GHz.

31. In regard to **claim 10**, note Ortiz discloses a second receiver apparatus configured to receive the video signals transmitted from the second transmitter (column 15, lines 37-52), and a monitoring unit communicatively coupled with at least one of the first mentioned receiver apparatus and the second receiver apparatus to monitor video signals received from the first mentioned receiver apparatus and the second receiver apparatus (column 15, lines 37-52 and column 25, lines 31-45), the monitoring unit including a decoder configured to decode the received video signals (column 25, lines 31-45), and a display device configured to display video signals decoded by the decoder (column 15, lines 37-52 and column 25, lines 31-45).

32. In regard to **claim 11**, note the primary reference of Silverman in view of McCullough and Ortiz discloses the use of a communication system configured to communicate information in real-time between remote locations, as claimed in claim 10. Therefore, it can be seen that the primary reference fails to disclose that the second

receiver apparatus comprises an antenna having a gain of at least 14 dB. However, the Examiner notes that the use of an antenna having a gain of at least 14 dB is considered to be a matter of design choice in order to meet specific application requirements and to adhere to the wireless communications standards set by the FCC.

33. In regard to **claim 12**, note the primary reference of Silverman in view of McCullough and Ortiz discloses the use of a communication system configured to communicate information in real-time between remote locations, as claimed in claim 10. Therefore, it can be seen that the primary reference fails to disclose that the transmission range between the first mentioned receiver apparatus and the second receiver apparatus is greater than 4 miles line-of-sight. However, the Examiner notes that the use of a transmission range between two devices that is greater than 4 miles line-of-sight is considered to be a matter of design choice in order to meet specific application requirements and to adhere to the wireless communications standards set by the FCC.

34. In regard to **claim 13**, note Ortiz discloses that a decoded signal that is split in order to provided the signal to a display and a video recording device (column 15, line 37 – column 16, line 16 and column 25, lines 31-45; the signal can be displayed and/or stored for later retrieval). Therefore, it can be seen that the primary reference of Silverman in view of McCullough and Ortiz fails to explicitly disclose the use of a battery configured to provide power to the monitoring unit and the first mentioned receiver apparatus and the second receiver apparatus, and a charger configured to receive power supply from an external source to charge the battery. Official Notice is taken that

the concepts and advantages of using a battery and charger are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the use of a battery and charger in order to provide a rechargeable system that can be carried to a remote location that does not have access to a power supply.

35. In regard to **claim 25**, note the primary reference of Silverman in view of McCullough discloses a communication system, as claimed in claim 23. Therefore, it can be seen that the primary reference fails to explicitly disclose that the receiver apparatus comprises a second transmitter configured to further transmit the video signals output from the receiver. Ortiz discloses the use of a receiver apparatus having a second transmitter configured to further transmit the video signals output from the receiver (column 15, lines 37-57). Ortiz teaches that the use of a receiver apparatus having a second transmitter configured to further transmit the video signals output from the receiver and an antenna configured to transmit the video signals received from the second transmitter is preferred in order to distribute the data by retransmitting the video at the request of authorized users (column 15, lines 37-52). Therefore, it would have been obvious to one of ordinary skill in the art to modify the receiver of the primary reference to include the use of a second transmitter configured to further transmit the video signals output from the receiver in order to distribute the data by retransmitting the video at the request of authorized users, as suggested by Ortiz.

36. In regard to **claim 26**, note Ortiz discloses that communication between devices can be performed using a combination of different types of wireless networks (column

16, lines 26-34), and lists 900 MHz and 2.4 GHz as possible types of wireless networks (column 16, line 26 - column 19, line 32). Therefore, based on the application, the second transmitter is capable of being configured to transmit video signals at about 2.4 GHz.

37. In regard to **claim 27**, note Ortiz discloses a second receiver apparatus configured to receive the video signals transmitted from the second transmitter (column 15, lines 37-52), and a monitoring unit communicatively coupled with at least one of the first mentioned receiver apparatus and the second receiver apparatus to monitor video signals received from the first mentioned receiver apparatus and the second receiver apparatus (column 15, lines 37-52 and column 25, lines 31-45), the monitoring unit including a decoder configured to decode the received video signals (column 25, lines 31-45), and a display device configured to display video signals decoded by the decoder (column 15, lines 37-52 and column 25, lines 31-45).

38. In regard to **claim 35**, note the primary reference of Silverman in view of McCullough discloses a communication method for communicating information in real-time between remote locations, as claimed in claim 32. Therefore, it can be seen that the primary reference fails to disclose providing the video signals received by the receiver device to a monitoring apparatus, decoding the video signals received by the monitoring apparatus, and displaying decoded video signals on a display device of the monitoring apparatus. Ortiz discloses providing the video signals received by the receiver device to a monitoring apparatus, decoding the video signals received by the monitoring apparatus, and displaying decoded video signals on a display device of the

monitoring apparatus (column 15, line 37 – column 16, line 16 and column 25, lines 31-45; the signal can be displayed and/or stored for later retrieval). Ortiz teaches that providing the video signals received by the receiver device to a monitoring apparatus, decoding the video signals received by the monitoring apparatus, and displaying decoded video signals on a display device of the monitoring apparatus is preferred in order to distribute the data by retransmitting the video at the request of authorized users (column 15, lines 37-52). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary reference to provide the video signals received by the receiver device to a monitoring apparatus, decode the video signals received by the monitoring apparatus, and display decoded video signals on a display device of the monitoring apparatus in order to distribute the data by retransmitting the video at the request of authorized users, as suggested by Ortiz.

39. In regard to **claim 36**, this is a method claim, corresponding to the apparatus in the combination of claims 8 and 10. Therefore, claim 33 has been analyzed and rejected as previously discussed with respect to the combination of claims 8 and 10.

40. In regard to **claim 40**, this is a method claim, corresponding to the apparatus in the combination of claims 25 and 27. Therefore, claim 40 has been analyzed and rejected as previously discussed with respect to the combination of claims 25 and 27.

41. In regard to **claim 41**, this is a method claim, corresponding to the apparatus in claim 26. Therefore, claim 41 has been analyzed and rejected as previously discussed with respect claim 26.

42. In regard to **claim 43**, note the primary reference of Silverman in view of McCullough discloses a method of remotely monitoring a hazardous environment, as claimed in claim 42. Therefore, it can be seen that the primary reference fails to disclose further transmitting the video signal of the highest signal strength using a transmitter located in the receiver apparatus, receiving the further transmitted video signal in a second receiver apparatus, and displaying the received video signal. Ortiz discloses further transmitting the video signal of the highest signal strength using a transmitter located in the receiver apparatus (column 15, lines 37-57), receiving the further transmitted video signal in a second receiver apparatus (column 15, lines 37-52), and displaying the received video signal (column 15, lines 37-52 and column 25, lines 31-45). Ortiz teaches that further transmitting the video signal of the highest signal strength using a transmitter located in the receiver apparatus, receiving the further transmitted video signal in a second receiver apparatus, and displaying the received video signal is preferred in order to distribute the data by retransmitting the video at the request of authorized users (column 15, lines 37-52). Therefore, it would have been obvious to one of ordinary skill in the art to modify the receiver of the primary reference to include the use of a second transmitter configured to further transmit the video signals output from the receiver and an antenna configured to transmit the video signals received from the second transmitter in order to distribute the data by retransmitting the video at the request of authorized users, as suggested by Ortiz.

43. In regard to **claim 44**, note Ortiz discloses that communication between devices can be performed using a combination of different types of wireless networks (column

16, lines 26-34), and lists 2.4 GHz as a possible type of wireless networks (column 16, line 26 - column 19, line 32). Therefore, based on the application, the second transmitter is capable of being configured to transmit video signals at about 2.4 GHz.

44. **Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverman et al. (US Patent # 4,709,265) in view of McCullough (US Patent # 4,59,019) and further in view of Dunsmore et al. (US Patent # 5,389,998).**

45. In regard to **claim 15**, note the primary reference of Silverman in view of McCullough discloses a communication system configured to communicate information in real-time between remote locations, as claimed in claim 1. Therefore, it can be seen that the primary reference fails to disclose that the voltage regulator comprises a booster circuit configured to boost voltage from a first level to a higher second level. Dunsmore discloses the use of a booster circuit configured to boost voltage from a first level to a higher second level (column 1, lines 25-45). Dunsmore teaches that the use of a booster circuit configured to boost voltage from a first level to a higher second level is preferred in order to ensure a steady supply of power to the various camera systems, even under high load conditions (column 1, lines 25-45). Therefore, it would have been obvious to one of ordinary skill in the art to modify the receiver of the primary reference to include the use of a booster circuit configured to boost voltage from a first level to a higher second level in order to ensure a steady supply of power to the various camera systems, even under high load conditions, as suggested by Dunsmore.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US007015950B1: note the use of an image capturing device having a laser.

US005596368A: note the use of an image capturing device having a laser.

US005694632A: note the use of an image capturing device having a laser.

US006516151B2: note the use of an image capturing device having a laser.

US006178297B1: note the use of an image capturing device having a laser.

US007023483B2: note the use of an image capturing device having a laser.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISS S. YODER III whose telephone number is (571)272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. S. Y./
Examiner, Art Unit 2622

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622